

Please replace the paragraph beginning at page 10, line 12, with the following rewritten paragraph:

-- Thus, the present invention has been described herein with reference to a particular embodiment for a particular application. Those having ordinary skill in the art and access to the present teachings will recognize additional modifications, applications and embodiments within the scope thereof. For example, as an alternative to the repeater, satellite radio signals may be stored in a medium such as a digital video disc and rebroadcast therefrom as disclosed and claimed in copending U.S. patent application serial number 09/433,862, filed 11/04/1999 by C. Wadin and P. Marko and entitled Composite Waveform Storage and Playback (Atty Docket #39253) the teachings of which are incorporated herein by reference. --

#### REMARKS

Claims 17 - 29 are presently pending. In the above-identified Office Action, the Examiner rejected the Claims 35 U.S.C. § 103(a) as being unpatentable over Marko *et al.* (U. S. Patent No. 6,154,452) in view of Timm *et al.* (U. S. Patent No. 6,055,268).

For the reasons set forth more fully below, the present Application is submitted as properly presenting Claims patentable over the prior art. Reconsideration, allowance and passage to issue are respectfully requested.

The present invention addresses the need in the art for a system and method for distributing satellite digital audio radio service to a plurality of receivers that are not independently mobile relative to each other. The inventive system includes a satellite antenna and a radio frequency (RF) satellite receiver. In the best mode, the RF satellite receiver is a terrestrial repeater. The repeater decodes a stream of data received from the satellite and recodes the stream using an intermediate frequency satellite radio terrestrial broadcast format. In the best mode, the signal is an intermediate frequency signal in the

XM radio, multi-carrier modulation (MCM) format. The recoded signal is rebroadcast by the repeater via a distribution network and received by a plurality of intermediate frequency (IF) receivers. The distribution system may be wireless, cable, or fiber optic. In the illustrative embodiment, the IF receivers are modified conventional satellite digital audio radio service receivers. A user interface is provided for each IF receiver to allow for channel selection and audio processing.

The invention is set forth in Claims of varying scope of which Claim 17 is illustrative. Claim 17 recites:

17. A satellite digital audio radio multipoint distribution system comprising:

a satellite antenna for receiving a satellite digital audio radio signal;

a terrestrial repeater connected to said antenna for decoding said satellite signal and recoding said signal into an intermediate frequency (IF) satellite radio terrestrial broadcast format signal;

**a system for distributing said recoded IF signal**, and  
plural satellite digital audio radio service receivers adapted to receive said recoded IF signal from said distributing system and provide an audio and/or visual output signal in response thereto. (Emphasis added.)

None of the references, including those cited but not applied, taken alone or in combination, teaches, discloses or suggests the invention as presently claimed. That is, none of the references teaches, discloses or suggests a satellite digital audio radio multipoint distribution system having a terrestrial repeater adapted to receive and recode satellite signals into IF signals and a system for distributing the recoded IF signals.

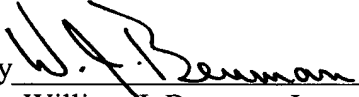
In the above-identified Office Action, the Examiner cited Marko *et al.* and Timm *et al.* suggested that the invention as claimed was unpatentable in view of the combination thereof.

Marko *et al.* discloses a method and apparatus for continuous cross-channel interleaving for use in a satellite digital audio radio system. The Examiner acknowledges that Marko *et al.* does not disclose the limitation directed to an IF signal. However, the Examiner suggests that this shortcoming is overcome by the teachings of Timm *et al.*

Timm *et al.* purport to teach and disclose a modem communication system. The Examiner suggests that this reference teaches a distribution of an IF signal. However, this position is clearly in error. As is evident from Fig. 2d and 2f, the signals are received as radio frequency signals, downconverted to VDSL and redistributed as digital (VDSL) signals. No redistribution at IF is taught by this reference. Hence, the shortcomings of Marko *et al.* are not overcome by the teachings of Timm *et al.*

As the salient limitations are included in all of the Claims presently pending, the rejections of Claims 17 - 29 under 35 U.S.C. § 103(a) are improper and should be withdrawn. Reconsideration, allowance and passage to issue are therefore respectfully requested.

Respectfully submitted,  
P. Marko *et al.*

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE SPECIFICATION:**

Paragraph beginning at line 10 of page 4 has been amended as follows:

-- As an alternative to the repeater, satellite radio signals may be stored in a medium such as a digital video disc and rebroadcast therefrom as disclosed and claimed in copending U.S. patent application serial number 09/433,862, filed 11/04/1999 by C. Wadin and P. Marko and entitled Composite Waveform Storage and Playback (Atty Docket #39253) the teachings of which are incorporated herein by reference. --

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